

**RODNEY J. JACOB, ESQ.**  
**DANIEL M. BENJAMIN, ESQ.**  
**JENNIFER A. CALVO-QUITUGUA, ESQ.**  
**CALVO & CLARK, LLP**

Attorneys at Law  
655 South Marine Corps Drive, Suite 202  
Tamuning, Guam 96913  
Telephone: (671) 646-9355  
Facsimile: (671) 646-9403

**CHRISTOPHER E. CHALSEN, ESQ.**  
**MICHAEL M. MURRAY, ESQ.**  
**LAWRENCE T. KASS, ESQ.**  
**MILBANK, TWEED, HADLEY & MCCLOY LLP**

1 Chase Manhattan Plaza  
New York, New York 10005  
Telephone: (212) 530-5000  
Facsimile: (212) 822-5796

*Attorneys for Defendants*  
**FUJITSU LIMITED, and**  
**FUJITSU MICROELECTRONICS AMERICA, INC.**

**FILED**  
DISTRICT COURT OF GUAM

JUN 8 2007

**MARY L.M. MORAN**  
**CLERK OF COURT**

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF GUAM

**NANYA TECHNOLOGY CORP. and**  
**NANYA TECHNOLOGY CORP. U.S.A.,**

Plaintiff,

vs.

**FUJITSU LIMITED, FUJITSU**  
**MICROELECTRONICS AMERICA, INC.,**

Defendants.

CIVIL CASE NO. 06-CV-00025

**DECLARATION OF**  
**JAMES DUNLOP**

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF GUAM

NANYA TECHNOLOGY CORP. and  
NANYA TECHNOLOGY CORP. U.S.A

Plaintiffs,

-v-

FUJITSU LIMITED, FUJITSU  
MICROELECTRONICS AMERICA, INC.,

Defendants.

CIVIL CASE NO. 06-CV-00025

**DECLARATION OF  
JAMES DUNLOP**

I, JAMES DUNLOP, declare as follows:

**I. BACKGROUND OF JAMES DUNLOP**

1. I am an Engineering Program Manager at TAEUS International Corporation (“TAEUS”) of Colorado Springs, Colorado, and have held that position since April 2005.

2. I hold a Bachelor’s degree in International Business from Fort Lewis College of Durango, Colorado and a Master of Science in Electrical Engineering from Colorado Technical University of Colorado Springs, Colorado.

**II. SCOPE OF ENGAGEMENT**

3. TAEUS specializes in the reverse engineering and analysis of semiconductor devices, and has performed this type of work since 1992. TAEUS is a leader in applying sophisticated forensic methodologies to intellectual property in support of the licensing and litigation efforts of its customers.

1           4.       TAEUS was engaged by counsel for Defendants Fujitsu Limited and Fujitsu  
2       Microelectronics America ("FMA") to open a Johnson & Johnson Lifescan OneTouch Ultra  
3       glucose monitor ("OneTouch"), and photograph and document the integrated circuits that are  
4       present on the board inside the OneTouch.

5       **II. HANDLING OF THE LIFESCAN ONETOUCH ULTRA GLUCOSE MONITOR**

6           5.       As part of my duties at TAEUS, I personally supervised the receipt, handling,  
7       disassembly, and photography involved in the analysis requested by Michael M. Murray, counsel  
8       for Fujitsu Limited and FMA.

9           6.       TAEUS received a OneTouch monitor from Michael Murray in the original  
10       unopened packaging.

11          7.       I personally kept custody and control over the OneTouch through each step of the  
12       analysis described below.

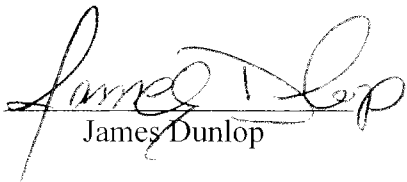
13          8.       No changes or modifications were made to the OneTouch.

14          9.       I personally prepared a report of the results of our analysis of the OneTouch, and  
15       attach as Exh. A hereto a true and correct copy of our report.

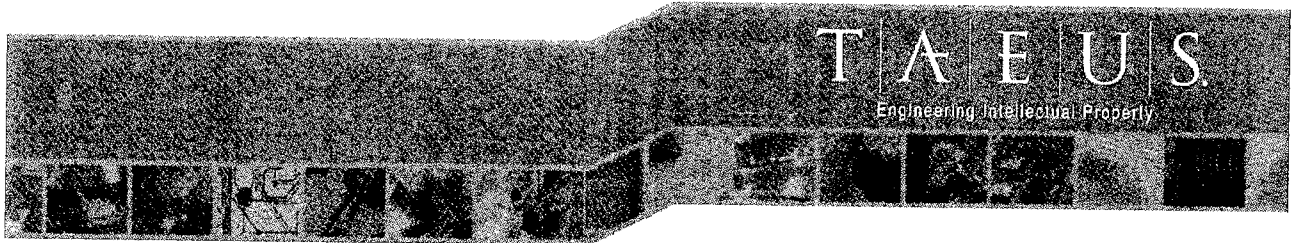
16               I declare under penalty of perjury under the laws of the United States that the foregoing is  
17       true and correct.

18       Executed this 30th Day of May, 2007.

19                               By:

  
James Dunlop

# **EXHIBIT A**



# LIFESCAN ONETOUCH ULTRA

## BLOOD GLUCOSE MONITORING SYSTEM

**Prepared for Milbank, Tweed,**

**Hadley & McCloy LLP**

**Project #07-MTH001-0026**

**May 30, 2007**

Questions on the contents of this report may be addressed to:

TAEUS International Corporation  
1155 Kelly Johnson Blvd, Suite 400 Colorado Springs, CO 80920 USA  
Tel: +1 719 325 5000 | Fax: +1 719 532 5175 | [www.taeus.com](http://www.taeus.com)

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## TAEUS INTERNATIONAL CORPORATION

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TAEUS International Corporation is the leader in applying engineering principles to patents. We help clients generate positive value from patents by showing how our clients' patents are used by others. We apply a unique engineering perspective and innovative business methods to analyze patent portfolios, reverse engineer competitive products, search for prior art, value patents, and support licensing with technical experts and analyses.

TAEUS is headquartered in Colorado Springs, Colorado and has offices in Silicon Valley, Chicago, London, Zurich, Tokyo, Seoul, Taipei, Shanghai, St. Petersburg, Moscow, and Romania.

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## PROJECT DESCRIPTION

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TAEUS International Corporation (TAEUS) was tasked with opening the LifeScan OneTouch Ultra, photograph and document the integrated circuits that are present on the board inside the glucose meter. A total of two chips were found, the first chip being marked with ElectroMed, the second being marked with NEC.



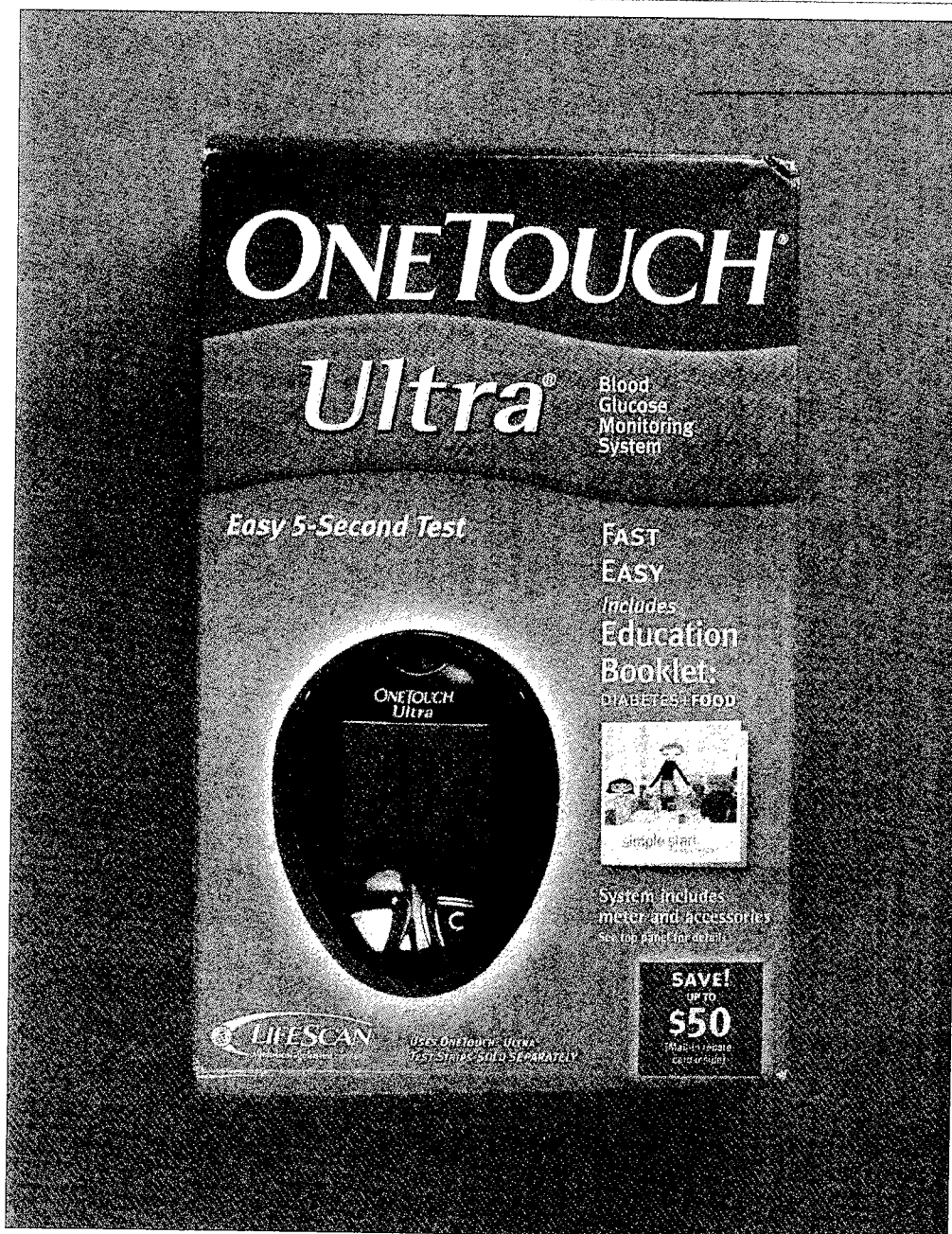


Figure 1. LifeScan OneTouch Ultra - In Box

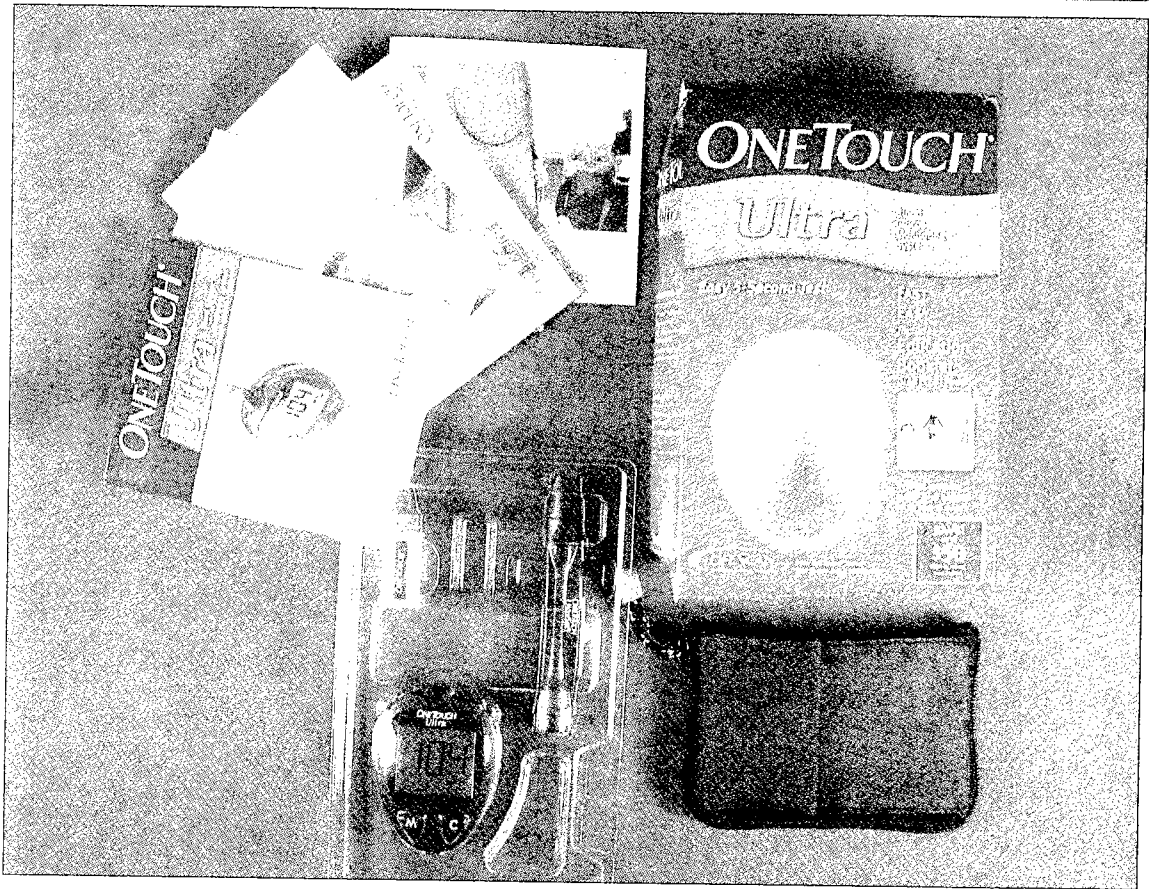


Figure 2. LifeScan OneTouch Ultra - Box Contents